

REMARKS

Reconsideration of this application, as amended, is respectfully requested. Claim 1 (and similarly in claims 2 and 35) has been amended to recite "generating an estimate of a number of advertisements that are expected to be received by the user, the estimate based in part on the reward threshold; providing the estimate to the user". This amendment is supported by the specification, for example at paragraphs [0045] and [0050].

Claim 35 has been amended to recite "sending one or more messages to a personal device of each user". This amendment is supported, at least, by claim 1 as originally filed. As claim 35 is a method associated with an apparatus (i.e., a personal device), claim 35 is directed at statutory subject matter. Hence, it is respectfully requested that the rejection to claim 35 and its dependent claims under 35 U.S.C. §101 be removed.

In addition, claims 1, 2, and 35 have been amended to correct minor typographical errors and for clarity. No new matter is being added by any of the present amendments.

Claims 1-12, 15-29, 31-38, and 40-43 are patentable over Goldhaber et al., US 5794210 (hereinafter, "Goldhaber").

The Office Action admits that Goldhaber does not disclose a method which includes user-established settings for a reward threshold, as recited in claim 1. (Office Action, pages 6-7) It follows that Goldhaber fails to teach generating an estimate of the number of advertisements that are expected to be received by the user, the estimate based in part on the reward threshold, and providing such an estimate to the user. Put in other words, since Goldhaber fails to teach a reward threshold, as recited in claim 1, Goldhaber necessarily fails to teach generating, and providing to the user, an estimate (of the number of advertisements that are expected to be received by the user) based in part on such a reward threshold.

The Office Action provides Official Notice of certain allegedly common practices, such as "an individual ... establishing a minimum price or minimum reward threshold that he wants to receive to perform a duty or job..." (Office Action, page 7). Even if true, such Official Notice fails to cure the deficiencies of Goldhaber. Hence, claim 1 and its dependent claims are patentable over Goldhaber, even in view of the Official Notice. Claims 2 and 35 recite, *inter alia*, features similar to those recited in claim 1. Hence, claims 2 and 35, as well as their respective dependent claims,

are patentable over Goldhaber, even in view of the Official Notice.

For at least the foregoing reasons, the claims are patentable over the references cited in the Office Action. If there are any additional fees due in connection with this communication, please charge our deposit account 19-3140.

Respectfully submitted,

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